

Exhibit C
Analysis of Public Comments Received
Decision Memo for Atlantic Coast Pipeline
Site Survey and Testing Special Use Permit GBR205003
Amendment 3 / Alternative Route (5)

On June 23, 2015, the Monongahela National Forest initiated public scoping for an application from Atlantic Coast Pipeline, LLC. to amend their special use permit GBR205003 for site survey and testing by performing the activities along an alternative route known as Alternative 5. Public scoping was initiated by placing the application on the SOPA website, sending out a press release, and sending letters to individuals/organizations on the Forest's NEPA mailing list. Public scoping ended on July 20, 2015. Responses received consisted of 120 emails/letters that were outside the project scope or form letters, 2 duplicate comments from the same individual/group, and 17 comments which addressed the scope of the project. Those comments that were outside the project scope were related to construction and use of a pipeline, which is not authorized by this decision. This project is focused on site survey and testing. These comments have been grouped into the following categories and are addressed with my response.

Comment – Surveyors must be held to the highest standards while completing the most thorough survey possible.

Response – We have identified specific information needs related to several resource issues. Forest Service resource specialists are coordinating with the applicant's contractors to ensure that adequate data are collected to facilitate analysis of the resource issues on the Monongahela National Forest. Where survey protocols already exist, we are recommending that the applicant use these protocols, or work with us to develop alternative protocols that will produce the necessary information.

Comment – Review of the qualifications of the surveyors performing work to ensure they are qualified and knowledgeable to perform the tasks assigned.

Response – Forest Service resource specialists will coordinate with the applicant to evaluate the qualifications of contractors who will perform the surveys.

Comment – The surveyors work for the proponent, thereby it is likely the reports may offer false information in favor of proponent.

Response – Forest Service resource specialists will coordinate with the applicant to evaluate the qualifications of contractors who will perform the surveys. The Forest Service will inspect survey activities periodically. Data collected will need to be thoroughly documented to facilitate subsequent analysis of any proposal to locate and construct a pipeline on National Forest land.

Comment – Require survey protocols be developed by the Forest Service and the Fish and Wildlife Service, to be implemented by the company, and that the protocols be subject to public comment before being implemented. The public should have input on survey protocols.

Response – The Forest Service resource specialists will coordinate with the applicant's contractors to ensure that adequate data are collected to facilitate analysis of the resource issues on the Monongahela National Forest. Where survey protocols already exist, we will recommend that the applicant use these protocols, or work with us to develop alternative protocols that will produce the necessary information. Recommended survey protocols were developed for the original issuance of the site survey and testing special use permit. These protocols are available to the public at http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprd3836199.pdf.

Comment – If surveys are not performed to the best scientific protocols, full and accurate negative impacts will not be correctly analyzed; thereby not allowing government regulators to fairly analyze the negative impacts of the project, suggest alternative routes, mitigate damage, or turn down the project altogether.

Response – Forest Service resource specialists will coordinate with the applicant's contractors to ensure that adequate data are collected to facilitate analysis of the resource issues on the Monongahela National Forest. Where survey protocols already exist, we will recommend that the applicant use these protocols, or work with us to develop alternative protocols that will produce the necessary information. The Federal Energy Regulatory Commission (FERC) is the lead agency for conducting the analysis of any proposal to locate and construct an interstate pipeline. As a cooperating agency, the Forest Service will review and comment on the analysis.

Comment – Survey should document the endangered and threatened plants, animals, and special habitats.

Response – Qualified surveyors will document occurrences of Threatened, Endangered, and Regional Forester’s Sensitive Species, and the location of sensitive habitats along the survey corridor. Recommended survey methodologies will be provided and/or reviewed by the Forest. Survey results will be reviewed and approved by Forest resource specialists.

Comment – The survey should investigate and identify impact to endangered species of mussels living in Deer Creek and the Greenbrier River.

Response – Qualified surveyors will document occurrences of Threatened, Endangered, and Regional Forester’s Sensitive Species, and the location of sensitive habitats along the survey corridor. Recommended survey methodologies will be provided and/or reviewed by the Forest. Survey results will be reviewed and approved by Forest resource specialists. The Federal Energy Regulatory Commission (FERC) is the lead agency for conducting the analysis of any proposal to locate and construct an interstate pipeline. As a cooperating agency, the Forest Service will review and comment on the analysis.

Comment – The Forest Service should ensure surveys for biological resources are conducted over an adequate length of time, are conducted at times of the year and times of the day when rare plants, wildlife, and biological communities are most likely to be detected.

Response – Forest Service resource specialists will coordinate with the applicant’s contractors to ensure that adequate data are collected to facilitate analysis of the resource issues on the Monongahela National Forest. Where survey protocols already exist, we will recommend that the applicant use these protocols, or work with us to develop alternative protocols that will produce the necessary information. Phenology is one factor that will be considered in these survey protocols.

Comment – Surveys for cultural resources should be overseen by the Forest Archeologist and the State Historic Preservation Office.

Response – The Forest Service authorizes Special Use Permits (FS 2700-32 - Permit for Archaeological Investigations) under the Organic Act of 1897 as amended (16 U.S.C. 473-478, 479-482 and 551), Antiquities Act of 1906 (16 U.S.C. 431-433), and the Archaeological Resources Protection Act of 1979 as amended (16 U.S.C. 470aa-mm) and its uniform regulations at Title 36, Code of Federal Regulations, Part 296 – Protection of Archaeological Resources. Activities authorized by a permit for archaeological investigations must be monitored by the Forest Heritage Program Manager. All artifacts, samples, and collections and original or clear

copies of all records, data, photographs, and other documents resulting from activities authorized by permit shall remain property of the United States Government. The applicant will be required to submit the final technical report to the West Virginia Division of Culture and History and also Tribal partners of the Monongahela National Forest for review.

Comment – There are known caves and streams in the vicinity. These should be identified and surveyed for pipeline impacts.

Response – The Forest is recommending that the applicant identify, locate, evaluate, and map karst, soil, and water features, as such information will be needed to evaluate any subsequent proposed activities in the corridor.

Comment – The survey should evaluate the karst topography, its aquifers, and possible impact to water quality.

Response – The Forest expects that the FERC EIS will include a thorough analysis of potential impacts to karst features. Therefore, we have recommended that the applicant survey karst areas for the presence of sinkholes and subsurface karst features that may act as flow paths for groundwater.

Comment – Streams, above and below ground, should be surveyed and identify the possible impact a pipeline would have on the watershed.

Response – The survey is expected to yield information about waterways within the survey corridor. That information will be used to help determine the appropriate crossing method and potential impacts of any subsequent proposed activities. The survey is recommended to include wetland delineations according to Corp of Engineers protocol. The Forest expects that the FERC EIS will include a thorough analysis of potential stream impacts. The Forest has recommended additional surveys such as stream bed composition, bank stability and cross sectional surveys on larger streams to better assess potential impacts.

Comment – Surveys should examine both private and public water sources within a significant distance of the proposed route both within the National Forest and on adjoining private lands.

Response – The Forest expects that the FERC EIS will include a thorough analysis of potential impacts to water quality and stream impacts. We are recommending that the applicant conduct

various surveys, including identifying springs and seeps, so that the types and extent of impacts can be better analyzed. We have recommended that the survey include various water quality and geomorphic data collection, including stream bed material composition, substrate “embeddedness” (degree to which larger substrate material is covered by smaller material), bank stability, cross section, and water quality.

Comment – The Forest Service should determine whether the route passes through any areas that meet qualifying criteria for potential wilderness areas (roadless areas) if these areas were not included in the inventory for the 2006 Monongahela National Forest plan revision.

Response – The Forest is aware that the proposed MNF5 route passes through a portion of the Gauley Mountain East Inventoried Roadless Area. This area is included in both the Roadless Area Conservation Rule inventory and the 2006 Plan Revision Inventory.

Comment – The project is incompatible with the Forest Plan

Response – This decision only addresses the site survey and testing. These surveys will have minimal impacts, and I have determined that they are consistent with the Forest Plan. Any subsequent application to locate and construct a pipeline would need further review for Forest Plan consistency.

Comment – A full environmental assessment of the cumulative impacts should be evaluated including any reasonably foreseeable future effects of the survey, including those related to the construction and operation of a pipeline.

Response – The impacts of the survey will be very minor, and the effects of surveying one proposed corridor would have no measurable cumulative impact when combined with the effects of surveying other proposed corridors. If the applicant later applies for authorization to locate and construct a pipeline, FERC would be the lead federal agency responsible for conducting the environmental analysis, including the analysis of the cumulative impacts of multiple pipeline proposals, through an Environmental Impact Statement (EIS). As a cooperating agency, the Forest Service would review and provide comments on this analysis.

Comment – The project has not been determined it is in the public interest and must be rejected 36 C.F.R. § 251.54(e)(5)(ii).

Response – Applications must be accepted if they meet the initial screening criteria outlined in 36 CFR § 251.54(e)(1). The application met those criteria and had already been accepted when we solicited public comments. The second-level screening occurs during the NEPA process after the proposal has been accepted as an application project. This decision, that is documented herein, addresses the results of the second-level screening. We have determined that the proposed use is in the public interest because it would provide necessary information for evaluating a subsequent proposal to locate and construct a pipeline.

Comment – The surveys should consider the safety concerns associated with accidents, rupture of pipes, and leakage, especially around sensitive areas.

Response – The Forest expects that the FERC EIS will include a thorough analysis of potential impacts to safety and environmental impacts. The recommended surveys would identify sensitive environmental features that could be damaged in the event of an accident.

Comment – A two week comment period over a holiday weekend does not afford citizens impacted by this new alternative enough time to respond.

Response – The original public scoping period was given a two week term. Upon initial responses, that term was extended another two weeks giving the public a total four week comment period.

Comment – Public meetings should have been scheduled for this alternative route

Response – I have determined that the survey activities authorized by this decision are minor in nature and do not require public meetings. FERC is the lead federal agency for any subsequent proposal to construct a pipeline. Any decision to hold public meetings for such a proposal would be up to FERC.

Comment – Desktop studies indicate Alternative 2 is the best and least impact to the National Forest rather than Alternative 5. Therefore no on the ground survey should be allowed for Alternative 5.

Response – Field surveys are necessary to allow a consistent evaluation of the environmental impacts of all alternative routes.

Comment – The George Washington –Jefferson National Forest has been identified as the lead Forest for the pipeline and should be considered the lead in directing the required procedures for all public lands in the proposed route including this alternative route for surveying on Monongahela National Forest.

Response – The George Washington –Jefferson National Forest has the lead for Forest Service participation in the FERC processing of the expected application for siting and constructing a proposed natural gas transmission pipeline. Any site survey and testing is under the authorization and jurisdiction of the individual Forest. This decision is within the authority of the Monongahela National Forest as an independent Forest decision.